

Remarks

Reconsideration and reexamination of the above-identified patent application, as amended, are respectfully requested. Claims 1-26 are pending in this application upon entry of this Amendment. In this Amendment, the Applicant has amended claims 1, 11-12, 16, and 25-26. No claims have been cancelled or added in this Amendment. Of the pending claims, claims 1, 11-12, 16, and 24-26 are independent claims.

Claim Rejections - 35 U.S.C. § 103

In the Office Action mailed February 23, 2006, the Examiner rejected claims 1-6, 8-23, and 26 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,903,226 issued to Suman et al. ("Suman") in view of U.S. Patent No. 5,940,007 issued to Brinkmeyer ("Brinkmeyer"). The Applicant believes that these claims are patentable under 35 U.S.C. § 103(a) over Suman in view of Brinkmeyer. However, the Applicant has amended independent claims 1, 11-12, 16, and 26 to more clearly define these claims.

The Applicant respectfully submits that amended independent claims 1, 11-12, 16, and 26 are patentable under 35 U.S.C. § 103(a) over Suman in view of Brinkmeyer. Claims 2-6, 8-10, 13-15, and 17-23 depend from one of these amended independent claims and include the limitations of their respective amended independent claim. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection to claims 1-6, 8-23, and 26 under 35 U.S.C. § 103(a).

The Examiner rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Suman in view of Brinkmeyer as applied to claim 1 above, and further in view of Korean Application No. 2002078726 issued to Ahn et al. Claim 7 depends from amended independent claim 1 and includes the limitations therein. Thus, the Applicant respectfully requests reconsideration and withdrawal of the rejection to claim 7 under 35 U.S.C. § 103(a).

The Examiner rejected independent claims 24-25 under 35 U.S.C. § 103(a) as being unpatentable over Suman in view of Brinkmeyer and U.S. Patent No. 6,031,465 issued to Burgess ("Burgess"). The Applicant believes that independent claim 25 is patentable under 35 U.S.C. § 103(a) over Suman in view of Brinkmeyer and Burgess. However, the Applicant has amended independent claim 25 to more clearly define this claim. The Applicant respectfully submits that amended independent claims 25 is patentable under 35 U.S.C. § 103(a) over Suman in view of Brinkmeyer and Burgess. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection to claim 25 under 35 U.S.C. § 103(a).

Independent claim 24 recites the control logic in rolling code programming mode generating and transmitting a sequence of rolling code activation signals until user input indicates a successful rolling code transmission scheme. The Examiner posited that Burgess discloses this feature (citing col. 4, lines 49-64, rolling-code type synchronization for maintaining proximity communication; col. 5, lines 12-20, establishing and maintaining synchronization) for the purposes of providing proximity communication. No where do these cited portions of Burgess teach or suggest generating and transmitting a sequence of rolling code activation signals until user input indicates a successful rolling code transmission scheme. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection to claim 24 under 35 U.S.C. § 103(a).

CONCLUSION

In summary, claims 1-26, as amended, meet the substantive requirements for patentability. The case is in appropriate condition for allowance. Accordingly, such action is respectfully requested.

S/N: 10/630,173

Reply to Office Action of February 23, 2006

Atty Dkt No. LEAR 04348 PUS (04348)

If a telephone or video conference would expedite allowance or resolve any further questions, such a conference is invited at the convenience of the Examiner.

Respectfully submitted,

MARK D. CHUEY

By

James N. Kallis

Reg. No. 41,102

Attorney for Applicant

Date: March 20, 2006

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351